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Attorneys for Secured Creditor
California National Bank

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re
CAVIATA ATTACHED HOMES, LLC,

Debtor.

Case No. BK-N-09-52786-GWZ

Chapter 11

**NOTICE OF APPEARANCE AND
REQUEST FOR SPECIAL NOTICE**

Hearing Date: N/A
Hearing Time: N/A
Est. Hearing:

**TO: THE CLERK OF THE BANKRUPTCY COURT, DEBTOR, CREDITORS,
PARTIES IN INTEREST and THEIR RESPECTIVE COUNSEL:**

PLEASE TAKE NOTICE that the undersigned, as counsel for secured creditor California National Bank, hereby requests that they receive notice of any and all proceedings in the above-captioned case, including, but not limited to, all notices concerning hearings under Sections 361, 362, 363, 364, and 365 of the Bankruptcy Code; all applications for compensation by attorneys and accountants; all applications and motions to abandon or otherwise dispose of property of the estate; all applications and motions for stay relief; all applications and motions for appointment of trustees and examiners, all motions and applications for dismissal or conversion of the above-

1 referenced case; and all other applications and motions concerning any plan of reorganization or
2 liquidation, the approval of any disclosure statement, the solicitation of any consents, and any
3 hearings concerning confirmation of any plan or plans of reorganization or liquidation. Send any
4 such notices to:

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10 AND

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16 Neither this Request for Special Notice nor any subsequent appearance, pleading, claim,
17 proof of claim, document, suit, motion nor any other writing or conduct, shall constitute a waiver
18 of Cal National's:

- 19
- 20 • Right to have any and all final orders in any and all non-core matters entered only
21 after *de novo* review by a United States District Court Judge;
 - 22 • Right to trial by jury in any proceeding as to any and all matters so triable herein,
23 whether or not the same be designated legal or private rights, or in any case, controversy or
24 proceeding related hereto, notwithstanding the designation *vel non* of such matters as "core
25 proceedings" pursuant to 28 U.S.C. § 157(b)(2)(H), and whether such jury trial right is
26 pursuant to statute or the United States Constitution;
 - 27 • Right to have the reference of this matter withdrawn by the United States District
28 Court in any matter or proceeding subject to mandatory or discretionary withdrawal; and

1 • Other rights, claims, actions, defenses, setoffs, recoupments or other matters to
2 which this party is entitled under any agreements or at law or in equity or under the United
3 States Constitution.

4 All of the above rights are expressly reserved and preserved by Cal National without
5 exception and with no purpose of confessing or conceding jurisdiction in any way by this filing or
6 by any other participation in these matters.
7

8 DATED this 20th day of August, 2009.
9

10
11 LAW OFFICES OF AMY N. TIRRE, APC
12 KATTEN MUCHIN ROSENMAN, LLP

13 By: /s/ Amy N. Tirre
14 AMY N. TIRRE, ESQ.
15 JOSHUA D. WAYSER, ESQ.

16 Attorneys for Secured Creditor
17 California National Bank
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CERTIFICATE OF SERVICE

Pursuant to FRBP 7005 and FRCP 5(b), I certify that I am an employee of Law Offices of Amy N. Tirre, that I am over the age of 18 and not a party to the above-referenced case, and that on August 20, 2009 I filed the **NOTICE OF APPEARANCE AND REQUEST FOR SPECIAL NOTICE** as indicated:

 x **BY NOTICE OF ELECTRONIC FILING:** through Electronic Case Filing System of the United States Bankruptcy Court, District of Nevada, to the individuals and/or entities at their email addresses as set forth below:

- ALAN R SMITH mail@asmithlaw.com,
turk@asmithlaw.com;marsh@asmithlaw.com;darby@asmithlaw.com
- U.S. TRUSTEE - RN - 11 USTPRegion17.RE.ECF@usdoj.gov

 BY HAND DELIVERY VIA COURIER: by causing hand delivery of the Document listed above via Reno Carson Messenger Service to the persons at the addresses set forth below.

 BY MAIL: by placing the document listed above in a sealed envelope with Postage thereon fully prepaid in the United States Mail at Reno, Nevada, and addressed as set forth below. I am readily familiar with my office's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on 20 August 2009, with postage thereon fully prepaid in the ordinary course of business.

DATED this 20th day of August, 2009.

 /s/ Andrea Black
An Employee of Law Offices of Amy N. Tirre